

Notice of Allowability

Application No.

10/808,710

Examiner

Sebastiano Passaniti

Applicant(s)

GOLDSMITH, JASON

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to see detailed Office action.
2. ☒ The allowed claim(s) is/are 1-5 and 7-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 12/21/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Sebastiano Passaniti
Primary Examiner

DETAILED ACTION

This Office action is responsive to communication received 08/29/2005 –
Amendment.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Karl Steins (Reg. No. 40,186), on December 20, 2005.

The application has been amended as indicated below. During the interview with applicant's attorney, it was agreed to amend claim 9 to include language in the preamble to clearly recite the combination of a golf club head and an alignment assembly. It was further agreed to amend the specification to provide proper antecedent basis for the claimed subject matter now provided in claims 1 and 12 with respect to the thick and thin portions, with these features being clearly shown in originally filed Figures 10A and 10B.

IN THE CLAIMS:

Claim 9 – line 1, **before** “An”, the phrase --In combination with a golf club head-- has been INSERTED and the term “An” has been replaced with --an—and the term “a” has been CHANGED to --said-- .

IN THE SPECIFICATION:

Page 12, line 12, after "invention.", the following phrase has been INSERTED:

--The head is defined by a face, top surface, a projection surface, a front thick portion adjacent to the face, a central thinner portion adjacent to the front thick portion and a rear thick portion in spaced relation to the front thick portion. - -

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: Claims 1-5 and 7-18 are allowable over the prior art references of record in view of the arguments advanced by the applicant on page 9, lines 14-20 of the remarks received 08/29/2005. Moreover, the applicant's arguments on page 6, line 14 through page 7, line 5 of the 08/29/2005 remarks overcome the new matter rejection under 35 USC §112. The newly cited reference to Olsavsky (U.S. Publication 2005/0227783) shows a putter having a front portion, rear portion and a central member connecting the front and rear members. However, it would not have been obvious to modify the Olsavsky device or any of the remaining prior art devices of record to include a head, alignment assembly and alignment image, as required by claim 1, or a dome and a void in combination with a head, as defined by claim 9, or a golf club head having parallax alignment means and planar alignment means, as set forth in claim 12.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sebastiano Passaniti whose telephone number is 571-272-4413. The examiner can normally be reached on Monday through Friday (6:30AM - 3:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene L. Kim can be reached on 571-272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S.Passaniti/sp
December 21, 2005


Sebastiano Passaniti
Primary Examiner